

ORDINANCES OF THE  
CITY OF MEXICO,

Audrain County, Mo.

Revised by the City Council of said  
City in the Year 1877.Published by Authority of the City  
Council.

places in the last preceding section mentioned, it shall be the duty of the Marshal to cause the same to be removed and the owner of the same shall in addition to the fine in the last preceding section pay all the cost that shall accrue on account of such removal, and in addition thereto the fees allowed in such cases to the Marshal by the city.

Sec. 7. All decaying vegetable matter when accumulated in large masses at any given point, all stagnant water, all artificial drains from houses, cellars or privies, except such as empty into the paved gutters over the side walks in regular formed valleys which from any cause shall become the subject of annoyance in the neighborhood are declared to be a nuisance; and if the same be not corrected by the owner or occupier of the lot or part of a lot on which the same exist in two days time after he shall be notified by the Marshal to do so, such owner or occupier shall be fined the sum of five dollars. If such nuisances shall not be removed or corrected after a first fine has been imposed said owner or occupier shall be fined one dollar for every day that the same shall be suffered to remain or continue, not to exceed one hundred dollars in all, and shall not be entitled to a second or other notice to remove or abate the same.

Sec. 8. All cow pens, calf pens or hog pens being used as such, situated wherever they may be, within the corporate limits of the city of Mexico, which on account of excrement or filth of any kind being deposited or having from any cause accumulated, shall at any time exhale a bad smell to the annoyance or discomfort of any citizen are hereby declared to be nuisances and the occupant of the lot or part of lot on which such nuisance shall exist who shall fail or refuse to remove or correct the same in two days after he shall be notified to do so by the Marshal shall be fined the sum of five dollars and the same shall continue after such notice shall have been given, not to exceed one hundred dollars in all.

Sec. 9. No goats or hogs of any description, or horses, mules, asses or cattle, shall be permitted to run at large. All cattle, horses, mules, asses, goats, hogs or pigs found running at large within the city limits shall be taken up by the Marshal and placed in some secure pen or pound provided for that purpose.

Sec. 10. Whenever any cattle, mules, horses, asses, goats, hogs or pigs are thus taken up it shall be lawful for the city Marshal, and it is hereby made his duty to sell the same at auction to the highest bidder for cash, after having given five days notice by advertisement in some newspaper published in this city or by at least six printed hand bills or written notices, one of which shall be posted or tacked up in each ward, and the place of such sale shall be at the pound, and the mode of such sale selling each animal separately and the money arising therefrom shall after the expenses of taking up and holding the same are deducted, be paid to the owner or owners on their application to the satisfaction of the city Marshal that such cattle, goats, hogs or pigs belong to them; deducting the cost aforesaid shall be paid into the city Treasury. Provided, however that nothing in this section shall prevent the Marshal before the sale thereof from releasing to any owner any of the stock herein described upon the payment to the Marshal of the fees as provided in the following section.

Sec. 11. The fees of the Marshal for taking up, feeding, advertising and selling the stock described in the preceding section shall be as follows: For taking up any goats or hogs (per head)..... 25c.

For taking up any cattle, horses, mules, and asses, (per head)..... 50c.

For feeding goats or hogs (per head) per day..... 10c.

For feeding cattle, horses, mules or asses..... 50c.

For advertising each head of goats, hogs, cattle, horses, mules or asses..... 25c.

For selling each head of goats, hogs, cattle, horses, mules or asses..... 10c.

Sec. 12. Any person who shall release or remove, or cause to be released or removed from the city pound any cattle, horses, mules, asses, goats, hogs or pigs therein confined without the express consent of the City Marshal so to do, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than twenty five nor more than one hundred and fifty dollars.

Sec. 13. Whoever shall permit any proud slut belonging to him, or under his control to run at large within the city, shall be fined twenty-five dollars. And it is hereby made the duty of the City Marshal to kill any proud slut found running at

## DUTIES OF OFFICERS.

CHAPTER XII.  
ATTORNEY.

Be it enacted by the City Council of the City of Mexico:

Sec. 1. It shall be the duty of the City Attorney to prosecute all suits before the Recorder on behalf of the city, and to prosecute and defend all suits and actions originating and pending in any court of Record to which the city is a party, or in which, in the opinion of the Mayor, the interest of the city are brought into controversy or in which the official acts of any of its officers or agents are involved.

Sec. 2. To advise the city council or its committees or any city officer in such legal questions as may arise in relation to the business of the city; to draw up any bill or ordinance that he may be called upon to draw by any committee of the city council and to give any such committee his opinion in writing upon any and all questions of law submitted to him.

Sec. 3. The City Attorney may, if in his opinion it is to the interest of the city with the consent of the Mayor, take an appeal or writ of error in behalf of the city and make the necessary affidavits therefor, and prepare the necessary bond in the name of the city.

Sec. 4. All proceedings or prosecutions brought in the name of the city of Mexico to enforce any of its ordinances shall only be brought upon written complaint signed by the City Attorney, and whenever in his judgment the interest of the city of Mexico demands it he may require the complainant or party injured to give satisfactory security for cost before commencement of said proceeding or prosecution.

Sec. 5. The City Attorney may in case of temporary absence from the city, sickness or inability to attend any court, at his own expense, with the approbation of the Mayor, appoint some person to act in his stead, and when he shall, before assuming his office, have been retained as counsel adversely to the city he shall inform the Mayor thereof, who shall appoint another person to represent the city in such cases.

## ASSESSOR.

Sec. 6. The Assessor, when appointed and qualified, shall as soon as required by a subsequent section of this ordinance, go through all parts of the city and ascertain every person who is the subject of taxation or who owns and has the management or charge of any property taxable by ordinance and not otherwise provided for to deliver him a written list of the same and every such person shall deliver to the Assessor a true list of all such property as he may own or have on the last day of April next preceding.

Sec. 7. The list required by the preceding section of this ordinance shall particularly describe all lots of ground separately by the numbers thereof according to the recorded map or plat of the city, and when less than a whole lot is owned by any individual, then the part so owned shall be distinctly described.

Sec. 8. The tax book of the Assessor shall be made out under the direction of the City Council, in tabular form, with a suitable caption and separate columns for the names of the owners of each kind of property taxed, the assessed value of each kind and the whole amount charged to each person.

Sec. 9. The Assessor shall value and assess all property on the tax book on liberal principles or what he supposed its worth at the time of the assessment to the best of his judgment, each lot or part of a lot to be assessed separately and each kind of property from every other kind.

Sec. 10. The Assessor shall deliver to any owner of any property assessed for taxation upon demand a copy of the assessment by himself, and then if aggrieved shall consider himself or herself aggrieved thereby he may apply to the City Council at the regular meeting thereof after the return of the bonds of the Assessor and said council shall hear and determine all such appeals in a summary way and shall adjust and correct the tax book accordingly.

Sec. 11. When there shall be taxable property in the corporate limits of the city of Mexico and from any cause no list thereof be given to the Assessor in proper time and manner the Assessor shall make out the list on his own view or the best information he can get.

Sec. 12. The Assessor shall require the party tendering him a list of his property to verify the same by an oath or affirmation and said Assessor is hereby authorized to administer such oath or affirmation.

Sec. 13. If any person applied to, as above provided, for a list of his or her taxable property under this ordinance shall fail or refuse to deliver the same to the Assessor within five days after being applied to for the same or shall refuse to verify said list by oath or affirmation as required in the preceding section the property that ought to have been taxed shall be double taxed and the person so failing or refusing to give in the list required in the time herewith specified or shall give or tender such a list to the Assessor and shall refuse to verify the same by oath shall be fined one hundred and fifty dollars for the use of the corporation to be recovered before any court having jurisdiction of the same.

Sec. 14. It shall be the duty of the Assessor to assess the person and property required by this ordinance to be assessed in the manner and form herein before required and return said book to the City Clerk ten days before the first regular meeting of the city council in the month of July following. If said Assessor shall fail or refuse to make his return as in this section specified or shall fail or refuse to perform any other duty imposed on him by this ordinance he shall pay to the corporation the sum of fifty dollars.

## MARSHAL.

Sec. 15. The Marshal within ten days after his election shall execute a good and sufficient bond to the city of Mexico for at least one thousand dollars, conditioned for his faithful performance of his official duties with at least two good and sufficient securities, both of whom shall be citizens of the city the bond to be approved by the city council and filed with the Clerk and may be sued upon any person injured by a breach it brought within one year after the breach complained of was made.

Sec. 16. The Council may at any time for the causes specified in the law of the State of Missouri concerning Constables require the Marshal to give a new bond and in default thereof his office shall be vacant.

Sec. 17. After the approval of such new bond by the council the securities of the former bond shall be discharged of all liabilities that may thereafter occur.

Sec. 18. The Marshal may appoint

one or more deputies with the approval of the city council. Every such appointment with the oath of office endorsed thereon shall be filed with the Clerks, and the deputy shall possess all the powers of the principal and may perform all his duties.

Sec. 19. The Marshal shall have control of all special, or other police, and of all night watchmen who are paid by or in part paid by the city.

Sec. 20. The Marshal and all policemen and night watch shall well acquaint themselves with the ordinances of the city taking special care at the same time that no violation thereof are tolerated said Marshal or any policemen or night watchmen shall promptly obey and see executed all orders adopted by the city council and superintend the enforcement of all its ordinances. The Marshal is hereby made collector of fines.

Sec. 21. It shall be the duty of the Marshal to summons to his aid if necessary any and every citizen of the corporation to make arrest and receive for trial any person who may be guilty of violating any of the laws of the city corporation.

Sec. 22. The Marshal shall execute and return all process to him directed and delivered by the Recorder and may serve warrants and subpoenas anywhere within the limits of Audrain county for offense committed within the limits of the city of Mexico.

Sec. 23. It shall be the duty of the city Marshal to report in writing at every regular meeting of the city council the number of arrests, offense charged, who fined, who discharged, amount of funds received, specifying the character of the funds and pay over to the Treasurer the amount collected by virtue of his office taking a receipt therefore.

## COLLECTOR.

Sec. 24. The Marshal shall be ex-officio collector of the city of Mexico, and as such shall within ten days after his election or appointment give bond to the City of Mexico in a sum sufficient to cover the entire revenue of the city, and a less than fifteen thousand dollars, conditioned, that he will faithfully discharge the duties of Collector and pay over to the Treasurer, according to law all money warrants and receipts of payments on warrants that may come to his hands by virtue of his office.

Sec. 25. The Collector shall be diligent in the collection of all revenue placed in his hands for collection, and at every regular meeting of the council he shall make a full exhibit and settlement of his accounts, which shall show the amount of monies collected, from whom, and on what account, and if any funds collected be city warrants, he shall specify the amount and he shall pay over to the treasurer all money and treasury warrants so collected; taking duplicate receipts for the same one of which shall be immediately filed with the clerk.

Sec. 26. If the Collector shall at any time violate the provisions of the preceding section by failing to make the settlement and to pay over all money remaining in his hands as provided therein, he shall be deemed guilty of a misdemeanor and for the first offense be fined not less than ten nor more than twenty-five dollars, and for the second offense shall be fined the sum of fifty dollars and shall forfeit his office.

## STREET COMMISSIONER.

Sec. 27. It shall be the duty of the Street Commissioner within ten days after his appointment to enter into bond to the city of Mexico with two good and sufficient securities in a penal sum to be determined by the city council, conditioned that he will faithfully discharge the duties of his office, and appropriate and account for all money that may come to his hands by virtue of his office and at the expiration of his term deliver, to his successor, all money, books, papers and other property belonging to his office.

Sec. 28. It shall be the duty of the Street Commissioner to hire hands to see to work and have the street worked and to keep them in good order when so ordered by the city council and to report to the city council at its regular meetings the condition of the streets and the cost of work done on the same.

Sec. 29. Any officer who shall absent himself from the city of Mexico for a period of ten days without the consent of the city council may be removed from office by a majority vote of the council and any appointed officer may be removed from for good cause by a majority vote of the council.

Sec. 30. The City Weigher before entering upon the duties of his office shall enter into bond to the city of Mexico in the sum of five hundred dollars conditioned that he will well and truly perform the duties of his office and pay over to the City Treasurer all money coming into his hands by virtue of his office at least once per month.

Sec. 31. It shall be the duty of the City Weigher to weigh all articles that may be brought to the city scales to give a certificate to the weight and to record the same in a book to be kept for that purpose and to pay the amount of fees into the hands of the City Treasurer at least once per month in cash, except for warrants drawn in payment of fees, and at the first regular meeting of the Council in each month to make report of the amount received for weighing since the last regular report. If the City Weigher shall at any time violate the provisions of this section he shall be deemed guilty of a misdemeanor, and for the first offense fined not less than ten nor more than twenty-five dollars, and for the second offense shall be fined twenty-five dollars and shall forfeit his office.

Sec. 32. Every Marshal, Collector, Treasurer, Street Commissioner, City Engineer, City Weigher or the deputy of any such officer of the city of Mexico who shall traffic for or purchase at less than the par value or speculate in any city warrant or bond issued by order of the City Council, or in any claim or demand held against the city of Mexico, shall be deemed guilty of a misdemeanor, and shall upon conviction be fined not less than ten nor more than twenty-five dollars.

Passed January 3d, 1877.

R. H. FOWLER, Mayor.

A. B. DANIEL, Clerk.

## MAYOR.

## CHAPTER XIII.

Be it enacted by the City Council of the City of Mexico:

Sec. 1. The Mayor shall have a general supervision and control over all city officers and may whenever he shall see fit examine into the condition of their respective offices, the books, papers and records therein, the manner of conducting their official business and may call upon any officer clerk or deputy for information in relation to any matter pertaining to his office.

Sec. 2. The Mayor shall report to the city council all violations or neglect of duty on the part of any city officer which may come to his knowledge.

Sec. 3. The Mayor shall have power to call to his assistance the city police, militia and all citizens to assist him in preventing or quelling any riot, mob, unlawful assembly or breach of the peace and all persons so called out by him shall be subject to his orders while on the duty to which they are called.

Sec. 4. The Mayor shall have power to take such secret measures as he may deem necessary for the detection and apprehension of offenders against law or ordinance, but no expenditure of money in relation to such service shall be made without consent of the Committee on Ways and Means.

Sec. 5. For the purpose of assisting and effecting the removal of paupers from the city who might otherwise become a great burden to it, the Mayor and committee on ways and means, shall have power to use such amounts of money payable as herein after provided as shall in their judgment be necessary to accomplish that object.

Sec. 6. For expenditures on account of such services and removal of paupers the Mayor shall draw his requisition on the clerk approved by the committee on ways and means and the clerk shall thereupon draw his warrant on the treasurer for the amount required and charge the same to the general fund of said city, provided that the amount so expended shall not exceed the sum of two hundred and fifty dollars per annum.

Sec. 7. Whenever any process of notice shall be served on the Mayor in any legal or other proceeding against the city or in which the city is a party, he shall immediately deliver the same to the City Attorney.

Sec. 8. Whenever any vacancy shall happen in the office of Mayor from death, resignation or any other cause, the President pro tem of the City Council shall fulfill the duties of the Mayor's office and shall, within ten days from the time such vacancy shall occur, issue his proclamation directing a special election to be held to fill said vacancy, giving ten days notice of the time and place of holding said election.

Sec. 9. Such election shall be held under the regulations prescribed in the chapter on elections, provided no election shall be held if such vacancy occur within three months preceding any general city election.

Sec. 10. It shall be the duty of the Mayor to attend the meetings of the City Council and preside at the same and the Clerk of said Council shall monthly certify to the Recorder the number of regular meetings from which the Mayor has been absent and the number of meetings for which he has by the Council been excused for absence, and the Recorder shall draw his warrant in favor of the Mayor for the one-twelfth part of his salary, less five dollars for every regular meeting from which he is absent and not excused as aforesaid.

Passed January 3d, 1877.

R. H. FOWLER, Mayor.

Att. T. A. B. DANIEL, Clerk.

## REVENUE.

## CHAPTER XIV.

Be it enacted by the City Council of the City of Mexico:

Sec. 1. That every Auctioneer of goods, wares or merchandise within the corporate limits of the city of Mexico shall pay a tax of ten dollars for the period of ten days, twenty dollars for a period of twenty days, and seventy-five for a period of six months.

Sec. 2. If any auctioneer mentioned in the preceding section shall fail or refuse to pay the tax hereby enjoined before engaging in the business of selling goods, wares and merchandise at auction they shall be deemed guilty of a misdemeanor and upon conviction fined the sum of fifty dollars for each offense.

Sec. 3. Each licensed merchant shall have the privilege of selling off at auction after the end of twelve months after commencing business any refuse stock of goods which he may have on hand for six months preceding without obtaining an auctioneer's license for that purpose.

## BILLIARD TABLES.

Sec. 4. That every person before he shall keep for use or permit to be kept for use within the corporate limits of the city of Mexico, a Billiard, Jernie, Pool or pigeon hole table, shall obtain of the clerk a license for which he shall pay to the Collector at the time of obtaining the same the sum of ten dollars on each table for every period of twelve months. Provided, however, that any table kept at any other place than a saloon, shall pay a license of five dollars for every period of twelve months.

Sec. 5. No licensed keeper of a table shall suffer any person under the age of twenty-one years to play on his tables without the written permission of the father, master or guardian of such minor.

Sec. 6. If any person being the owner or keeper of any such table shall fail or refuse to pay to the collector the amount of ten dollars within ten days after such table shall be set up for use, the Collector shall levy upon and sell such table for cash at public auction to pay the amount and costs.

## GIFT ENTERPRISES.

Sec. 7. No person shall within the limits of the city of Mexico, sell or offer for sale any packages or bundles purporting to contain prizes of money or other valuables, such occupations being commonly known as gift enterprises, without first having taken out a license so to do, and for such license such person shall pay to the Collector the sum of ten dollars for every week or fractional part thereof that such persons may desire to run such gift enterprises.

Sec. 8. Any person violating the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon conviction be fined not less than ten nor more than twenty-five dollars.

Passed January 3d, 1877.

R. H. FOWLER, Mayor.

A. B. DANIEL, Clerk.

and for which license such person shall pay to the Collector the sum of ten dollars for every week or fractional part thereof, that such person may desire to run such wheel of fortune.

Sec. 9. Any person violating the provisions of the preceding section shall be fined not less than twenty nor more than one hundred dollars.

## SHOOTING GALLERY.

Sec. 10. No person shall set up, run or maintain any shooting gallery so called without first having taken out a license so to do, and for such license such person shall pay to the Collector the sum of five dollars for every week or fractional part thereof that such person may desire to keep or run such shooting gallery.

Any person violating the provisions of this section shall be fined not less than ten nor more than fifty dollars.

## STREET CLEANERS.

Sec. 11. No person shall sell for others any stock, furniture, goods, wares or merchandise for sale on the streets or in any other public place in this city at public outcry or auction without having first taken out a license for which such person shall pay to the Collector the sum of five dollars for the space of one month or fractional part thereof, and ten dollars the space of twelve months. Any person selling or attempting to sell as above specified without license so to do shall be fined not less than ten nor more than fifty dollars for each offense.

## DRAM SHOPS.

Sec. 12. That no person or persons shall directly or indirectly sell intoxicating liquors within the corporate limits of the city of Mexico in any quantities less than one gallon without first obtaining a license as a dram shop keeper.

Sec. 13. Application for a license as a dram shop keeper shall be made in writing to the council, and shall specify the block of the city in which the dram shop is to be kept and shall be signed by a majority of the residents and occupants of such block, and the council may license such applicant if they deem proper.

Sec. 14. Upon every license to a dram shop keeper there shall be paid the sum of two hundred dollars for city purposes for every period of six months to be paid in every instance at the time said license is issued.

Sec. 15. Every application for wine and beer license shall specify the block of the city in which the wine and beer saloon is to be kept and shall be signed by a majority of the residents and occupants of the block and the council may license such applicant if they deem proper.

Sec. 16. Upon every license for a wine and beer saloon keeper there shall be paid the sum of twenty-five dollars for city purposes for every period of six months to be paid in every instance at the time said license is issued.

Sec. 17. The Clerk shall not deliver to any person a license as a dram shop or wine and beer saloon keeper until such person shall produce the receipt of the Collector showing that all taxes levied on the same have been paid.

Sec. 18. No dram shop keeper or other person shall directly or indirectly sell any intoxicating liquors to any minor within the corporate limits of this city, without first obtaining a written permit from the Mayor or guardian of such minor.

Sec. 19. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and fined not less than forty dollars nor more than one hundred dollars.

Sec. 20. Whoever shall deal in the selling of patent or other medicines, goods, wares or merchandise except books, charts and maps by going from place to place, to sell the same is hereby declared to be a peddler.

Sec. 21. No person shall deal, as a peddler, within the corporate limits of the city of Mexico without a license and no two or more persons shall deal under the same license either as partners, agents or otherwise and no peddler shall sell wines or spirituous liquors.

Sec. 22. There shall be levied and paid on all peddlers license a city tax of the following rates:

1st. A peddler traveling and carrying his goods on foot, two dollars and fifty cents for every period of less than five days. Five dollars for every period of not less than five nor exceeding thirty days; and twenty dollars for every period of not less than thirty days nor exceeding six months.

2nd. If one or more horses or other beast of burden or any vehicle for any period less than five days five dollars; for any period not less than five nor exceeding thirty days ten dollars; for every period of not less than thirty days nor exceeding six months thirty-five dollars.

Sec. 23. Any person may obtain a peddlers license upon application to the Clerk and filing the Collectors receipt for the tax due upon the same and upon paying the Clerk his fee of fifty cents for issuing the license.

Sec. 24. The license shall state the number in which the dealing is to be carried on, whether on foot or upon beast of burden, cart or other vehicle, and shall state the time for which the same shall run.

Sec. 25. Every person who shall be found dealing as a peddler within the limits of the city contrary to this ordinance or the terms of his license, shall be deemed guilty of a misdemeanor and upon conviction fined, if a foot peddler, five dollars, if on beast of burden or in a cart or other vehicle ten dollars.

## SHOWS AND MENAGERIES.

Sec. 26. No circus performers, exhibitors of menageries, slight-of-hand performances, exhibitions of wax figures, African or other singers or dancers, performers on slack rope or wire, concert performers who shall show or perform for pay and all other kind of showmen whatever who shall perform or exhibit in his, her or their peculiar way within the corporate limits of the city of Mexico without first obtaining a license so to perform or exhibit.

Sec. 27. Circus performers for each and every day that they by their license are permitted to perform shall pay the sum of fifty dollars; exhibitions of menageries, twenty-five dollars; slight-of-hand performers or jugglers, ten dollars; exhibitions of African singers or dancers; five dollars; performers on slack rope or wire for each performance, five dol-

lars. All showmen not herein mentioned including concert performers shall pay a license of five dollars.

Sec. 28. No two descriptions of persons or exhibitors or performers as mentioned above shall be authorized to perform under cover of one single license.

Sec. 29. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined double the amount that he, she or they would have been required to pay for an appropriate license under the provisions of this ordinance.

## STUD HORSES AND JACKASSES.

Sec. 30. That no stud horse or jackass shall be kept or stood (according to these words) within the limits of the city for the purpose of being exhibited or for teasing, trying or being let or put to mares or jennets, unless the owner or keeper or agent in behalf of the owner or keeper of said animal shall first obtain a written license from the Collector of the revenue of the city, aforesaid, giving permission to such owner or keeper to keep the same for the purpose before mentioned; such license shall describe the situation and location of the stables or lot in which it is proposed to keep or stand such stud horse or jackass and said horse or jackass shall be kept in no other stable or lot than the one described in said license.

Sec. 31. It shall be the duty of the Clerk of the city to issue or grant such license as in the preceding section provided for to any applicant therefor whenever such applicant shall produce to said Clerk a written statement signed by the heads of four families residing nearest to the lot or stable in which it is proposed to keep or stand any such stud horse or jackass declaring that the keeping or standing of the same will not in any degree annoy them or their families every such applicant for such license shall pay in advance to the Collector the sum of one dollar per month that he or they may propose to keep such stud horse or jackass within the corporate limits of the city of Mexico for the purpose of exhibiting such stud horse or jackass or of teasing or letting or putting to mares.

Sec. 32. For each and every day that any stud horse or jackass shall be kept or stood within the corporate limits of the city of Mexico contrary to the provisions of this ordinance, the owner or keeper or either of them shall forfeit and pay the sum of five dollars.

## TAVERNS.

Sec. 33. Every house kept by any person or persons for the lodging and entertainment of travelers is declared to be a tavern.

Sec. 34. No person or persons shall keep a tavern within the corporate limits of the city of Mexico unless he or they shall first have obtained a license for that purpose.

Sec. 35. Upon every tavern license there shall be paid the sum of ten dollars for city purposes, for every period of twelve months to be paid before the issue of the license.

Sec. 36. The Clerk shall not issue to any person a license to keep a tavern until such person shall produce the receipt of the Collector showing that all taxes levied upon the same have been paid.

Sec. 37. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction fined one dollar for each day he may keep a tavern without license not to exceed one hundred and fifty dollars in all.

## WAGON LICENSES.

Sec. 38. Each and every person who shall make a business of or engage in hauling from place to place any goods, wares, merchandise, building material, produce or any other commodity within the corporate limits of the city for pay shall be deemed a common carrier.

Sec. 39. Every common carrier shall pay a license as follows: For two horses wagon two dollars for one month, four dollars for three months, six dollars for six months, and ten dollars for twelve months; for a one horse wagon one dollar and fifty cents for two months, two dollars and fifty cents for three months, four dollars for six months, and six dollars for twelve months.

Sec. 40. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction fined two dollars for each offense proven.

## RESTAURANTS.

Sec. 41. Every house kept by any person or persons for the purpose of feeding any person or persons for pay is declared to be a restaurant.

Sec. 42. No person or persons shall keep a restaurant within this city unless he or they shall first have obtained a license for that purpose.

Sec. 43. Upon every restaurant license there shall be paid the sum of ten dollars for city purpose for every period of twelve months, to be paid before the issuing of the license provided however that nothing in this chapter shall be so construed as to include any person or persons who pay a hotel license in this city.

Sec. 44. The Clerk shall not issue to any person a license to keep a restaurant until such person shall produce the receipt of the amount collected, showing that all taxes levied upon the same have been paid.

Sec. 45. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction fined one dollar for each day he may keep a restaurant without license not to exceed one hundred and fifty dollars in all.